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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of **Whitman et al**  
Application No. **09/887,789**  
Attorney Docket No. **3556-P03147US1**  
Filed: **June 22, 2001**  
For: **Electro-Mechanical Surgical Device**  
Examiner: **Tran, Louis B.**  
Group Art Unit: **3721**

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this Correspondence is being deposited on the date identified below with the United States Postal Service as first-class mail in an envelope properly addressed to Commissioner for Patents, Alexandria, VA 22313-1450

5/18/04

Date of Certificate

Robin L. Dolan  
Robin L. Dolan

Commissioner for Patents  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97**

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants are submitting herewith a Form PTO-1449 and a copy of the references listed thereon. This Information Disclosure Statement is being filed more than three months after the filing date of an RCE. However, Applicants have not yet received an action on the merits of the application. Accordingly, Applicants believe that no fee is required pursuant to 37 C.F.R. § 1.97 (b) (3). In the event a fee is required, the Commissioner is authorized to charge the required fees to deposit account no. 04-1406. A duplicate copy of this sheet is included for fee processing, if necessary.

Applicants respectfully request full and proper consideration of the listed information during examination of the application, and that the listed information be printed on any patent that issues therefrom.

Respectfully submitted,

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Enclosures - Form PTO-1449

Copies of references listed on PTO - 1449

Complete if known

# INFORMATION DISCLOSURE STATEMENT

Application Number: 09/887,789

Filing Date: June 22, 2001

First Named Inventor: Whitman et al

Group Art Unit: 3721

Examiner Name: Tran, Louis B.

Attorney Docket Number: 3556-P03147US1

SHEET 1 OF 1

## UNITED STATES PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR
		3252643	05/1996	Stekkopytov, et al.
		5395033	03/07/1995	Byrne, et al.
		5661517	09/16/1997	Hooven
		5662259	09/02/1997	Yoon
		5779130	07/14/1998	Alesi, et al.
		6264087	07/24/2001	Whitman
		6315184	11/13/2001	Whitman
		6443973	9/03/2002	Whitman
		6491201	12/10/2002	Whitman
		6517565	02/11/2003	Whitman
		6716233	4/06/2004	Whitman

## FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT
		0634144	EP	07/14/1994	ETHICON, INC.
		00/72762	WO	12/07/2000	POWERMED, INC.

## OTHER PRIOR ART - NON-PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
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EXAMINER'S  
SIGNATURE

DATE  
CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 5609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.